

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

SHANE R. BAGLEY,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-10-732-M
)	
DEPARTMENT OF CORRECTIONS)	
and DIRECTOR JUSTIN JONES,)	
)	
Respondents.)	

ORDER

On October 12, 2010, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2241, seeking a writ of habeas corpus. The Magistrate Judge recommended this action be dismissed without prejudice based on a failure to exhaust state court remedies. Petitioner was advised of his right to object to the Report and Recommendation by October 29, 2010. A review of the file reveals that petitioner has not filed an objection.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on October 12, 2010, and
- (2) DISMISSES this action without prejudice.

IT IS SO ORDERED this 4th day of November, 2010.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE